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SALVADOR A. RODRIGUEZ

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

SALVADOR A. RODRIGUEZ,

No. C 04-2233 PJH

Petitioner,

v.

**REQUEST FOR CONTINUANCE  
TO FILE AND SERVE RESPONSE  
TO MOTION TO DISMISS**

DERRAL ADAMS, Warden,

Respondent.

The Court ordered on November 19, 2007, that the response/opposition to the motion to dismiss be filed and served no later than December 3, 2007. Counsel is hereby requesting a continuance to January 15, 2008, to file said response. Please see *Declaration of Linda Fullerton* attached hereto.

Dated: December 3, 2007.

Respectfully submitted,

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LINDA FULLERTON  
Attorney for SALVADOR A. RODRIGUEZ

**DECLARATION OF LINDA FULLERTON  
IN SUPPORT OF REQUEST FOR CONTINUANCE  
TO FILE AND SERVE RESPONSE TO MOTION TO DISMISS**

I, LINDA FULLERTON, declare:

I was appointed on March 14, 2007, to this case.

On or about November 19, 2007, the court ordered Salvador Rodriguez to file and serve his response/opposition to the motion to dismiss no later than December 3, 2007.

I am respectfully requesting a continuance, to January 15, 2008, to have said response filed and served, for the following reasons: I am not able to finish the response by the time allotted. I am on the trial calendar, starting December 3, 2007, for a two-week trial; in addition, I have trial set when that one concludes.

Therefore, I am respectfully requesting a continuance. I have spoken with Deputy Attorney General Moona Nandi and she has no objection to the extension of time.

I declare under penalty of perjury that the foregoing is true and correct, and that this declaration was executed on December 3, 2007.

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LINDA FULLERTON

**ORDER**

Good cause showing,

IT IS HEREBY ORDERED that time for filing and serving the response/opposition to the motion to dismiss be extended to January 15, 2008. LAST CONTINUANCE.

Dated: 12/6/07.

